

United States Bankruptcy Court
Middle District of Tennessee

In re:
Capstone Pediatrics, PLLC
Debtor

Case No. 19-01971-RSM
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0650-3

User: las9975
Form ID: prelimhr

Page 1 of 1
Total Noticed: 1

Date Rcvd: May 02, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 04, 2019.

db +Capstone Pediatrics, PLLC, 1420 Donelson Pike Suite B17, Nashville, TN 37217-3015

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 04, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 2, 2019 at the address(es) listed below:

BRUCE ANTHONY SAUNDERS on behalf of Interested Party HealthSpring Life and Health Insurance Company, Inc. tsaunders@wyattfirm.com

DANIEL HAYS PURYEAR on behalf of Creditor Newtek Small Business Finance, LLC
dpuryear@puryearlawgroup.com, paralegalgroup@puryearlawgroup.com

DANIEL HAYS PURYEAR on behalf of Creditor CDS Business Services, Inc. d/b/a Newtek Business
Credit dpuryear@puryearlawgroup.com, paralegalgroup@puryearlawgroup.com

DAVID W HOUSTON, IV on behalf of Debtor Capstone Pediatrics, PLLC dhouston@burr.com,
mmayes@burr.com

EMILY CAMPBELL TAUBE on behalf of Debtor Capstone Pediatrics, PLLC etaube@burr.com,
mmayes@burr.com;cnolan@burr.com

JOSHUA L BURGNER on behalf of Creditor ARHC GMCLKTN01, LLC jburgener@dickinsonwright.com,
dsolis@dickinsonwright.com;ppardee@dickinsonwright.com

MATTHEW RYAN GASKE on behalf of Creditor TN Dept of Revenue matthew.gaske@ag.tn.gov

MICHAEL G ABELOW on behalf of Creditor SL Airpark II, LLC mabelow@srvhlaw.com,
scamp@srvhlaw.com

MICHAEL G ABELOW on behalf of Creditor SL Airpark, LLC mabelow@srvhlaw.com, scamp@srvhlaw.com

NATALIE M. COX on behalf of U.S. Trustee US TRUSTEE natalie.cox@usdoj.gov

RYAN K COCHRAN on behalf of Creditor Four Plus Corporation ryan.cochran@wallerlaw.com,
chris.cronk@wallerlaw.com;Deborah.liles@wallerlaw.com

SEAN CHARLES KIRK on behalf of Creditor Fairway-Galt, LLC skirk@bonelaw.com

THOMAS WORMOUTH SHUMATE, IV on behalf of Creditor Meridian Law, PLLC
tom.shumate@meridianlawpllc.com

US TRUSTEE ustpreigion08.na.ecf@usdoj.gov

WARD W BENSON on behalf of Creditor United States of America on behalf of the Internal
Revenue Service ward.w.benson@usdoj.gov, Eastern.Taxcivil@usdoj.gov

WILLIAM L NORTON, III on behalf of Creditor Athenahealth bnorton@babco.com

TOTAL: 16

United States Bankruptcy Court

MIDDLE DISTRICT OF TENNESSEE

In re:

Capstone Pediatrics, PLLC

Case No. **3:19-bk-01971**

Chapter: 11 Judge: Randal S Mashburn

Movant: HEALTHSPRING LIFE AND HEALTH
INSURANCE COMPANY, INC.

v.

Respondents: CAPSTONE PEDIATRICS, PLLC

NOTICE OF PRELIMINARY HEARING AND PREHEARING ORDER

THIS IS NOTICE THAT A PRELIMINARY HEARING OF THE MOTION FOR RELIEF FROM STAY HAS BEEN SET ON **5/28/19 AT 08:30 AM IN Courtroom 1, 2nd Floor Customs House, 701 Broadway, Nashville, TN 37203.**

RESPONDENT SHALL FILE AND SERVE A RESPONSE TO THE MOTION FOR RELIEF FROM STAY AT LEAST 7 DAYS BEFORE THE PRELIMINARY HEARING. FAILURE TO TIMELY FILE AND SERVE A RESPONSE TO THE MOTION SHALL BE DEEMED A STATEMENT OF NO OPPOSITION. **IF NO TIMELY RESPONSE IS FILED, THE PRELIMINARY HEARING SCHEDULED ABOVE WILL NOT BE HELD AND THE MOVANT SHALL SUBMIT AN ORDER GRANTING THE REQUESTED RELIEF.** IF A TIMELY RESPONSE IS FILED, THE PRELIMINARY HEARING SCHEDULED ABOVE WILL BE HELD AND ALL PARTIES SHALL COMPLY WITH THE PROVISIONS BELOW.

In the event a final hearing is necessary, the final hearing will be scheduled by the court at the preliminary hearing.

COUNSEL FOR EACH PARTY IS ORDERED to file no later than 4:00 p.m. on the 3rd business day before the preliminary hearing, a "PREHEARING STATEMENT" containing the following:

FOR MOVANT

1. A brief statement of each cause for relief from the stay.
2. A brief summary of movant's contentions of fact in support of each cause for relief from the stay and the evidence to be relied upon to establish those facts.

FOR RESPONDENT

1. A brief statement of each defense.
2. A brief summary of respondent's contentions of fact in support of each defense, and the evidence to be relied upon to establish those facts.

FOR ALL PARTIES

1. A statement of all admitted uncontested facts.
2. Each Party's brief statement of contested facts.
3. Each party's brief statement of contested legal issues.
4. The affidavits or other documentary proof which each party submits in support of its contentions. Any creditor asserting a lien or security interest shall include proof of its lien or security interest and **proof of perfection.** All such affidavits or documents shall be exchanged by the parties at or before the time of filing of the PREHEARING STATEMENT.

PROCEDURE AT PRELIMINARY HEARING

At the preliminary hearing, the Court will consider the motion and response, the PREHEARING STATEMENT and attachments and the arguments of counsel. Upon the motion of a party filed and served at least 72 hours prior to the preliminary hearing, the Court may permit the questioning of witnesses at the preliminary hearing.

APPLICATION OF LBR 9014-1

1. If no timely response is filed and served, LBR 9014-1c shall not apply.
2. If a timely response is filed and served and if a final hearing is scheduled by the court:
 - a. The Required Disclosures in LBR 9014-1d(1)(a) and (b) shall be completed by all parties no later than 7 days after the preliminary hearing.
 - b. The Required Disclosures in LBR 9014-1d(1)(c) shall be completed no later than 14 days before any final hearing.
 - c. The Pretrial Disclosures in LBR 9014-1d(2) shall be completed no later than 7 days before any final hearing.

Failure to comply with this order may result in dismissal of the action, default, the assessment of costs and attorneys fees or other appropriate remedies.

Dated: 5/2/19

/s/ Randal S Mashburn
United States Bankruptcy Judge

For a Chapter 7, 12 or 13 case, the clerk shall mail a copy of this order to the debtor(s), attorney for the debtor(s), trustee, U.S. trustee, any committee elected (§ 705) and attorney for movant.

In a Chapter 11 case, the clerk shall mail a copy to the attorney for movant. The attorney for the movant shall mail a copy of this order to the debtor(s), the trustee (if appointed), the U.S. trustee, any committee appointed pursuant to § 1102 or the 20 largest unsecured creditors, if no committee is appointed.